

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

Re: ECF Nos. 9677, 9686

URGENT MOTION FOR EXTENSION OF DEADLINES

To the Honorable United States District Court Judge Laura Taylor Swain:

The Commonwealth of Puerto Rico (the “Debtor”) respectfully submits this urgent motion for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), extending the deadlines set forth in the *Order Scheduling Briefing of Motion for Relief from the Automatic Stay* (Docket Entry No. 9677) [ECF No. 9686] (the “Scheduling Order”).²

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² The Financial Oversight and Management Board for Puerto Rico, as the Debtor’s representative pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”), has authorized the Department of Justice to file this Urgent Motion on behalf of the Commonwealth.

Request for Relief

1. On January 1, 2020, Centro de Orientación y Ayuda Psiquiátrica, Inc. (“Movant”), filed a *Motion for Relief from the Automatic Stay Pursuant To PROMESA’s Sections 4, 7, 301(C)(3), 304(H), Department of Health and Human Services Administrative Order ACYF-CB-PI-18-03, Child Abuse Prevention and Treatment Act (CAPTA), Bankruptcy Code’s Sections 362(B)(4), (D)(1)* [ECF No. 9677] (the “Motion”), requesting the relief from the automatic stay in the case captioned *Centro de Orientación y Ayuda Psiquiátrica, Inc. v. Estado Libre Asociado de Puerto Rico y otros*, Case No. SJ2018CV02129, before the Puerto Rico First Instance Court.

2. On January 2, 2020, the Court entered the Scheduling Order which provides that opposition papers to the Motion must be filed by January 15, 2020 and Movant’s reply papers by January 22, 2015.

3. While the Debtor has been working diligently to gather the necessary information to assess Movant’s request, the earthquakes and tremblors that have impacted Puerto Rico in the last few weeks have interrupted government operations and delayed the Commonwealth’s ability to obtain such information. Accordingly, the Debtor needs additional time to gather the necessary information, seek a consensual resolution, if possible, or, if necessary, prepare and file a response to the Motion.

4. The Debtor has made good faith efforts to contact Movant, through several e-mails and telephone calls, in order to request its consent for this extension. However, all efforts made by Debtor have been unsuccessful as it has not been able to communicate with Movant.

5. Consequently, the Debtor proposes the following extensions of the deadlines set forth in the Scheduling Order:

- The deadline to file opposition papers to the Motion shall be extended to **January 22, 2020**.

- The deadline for Movant to file reply papers to any oppositions shall be extended to

January 27, 2020.

6. Pursuant to Paragraph 1.H of the *Tenth Amended Notice, Case Management and Administrative Procedures* [ECF No. 8027-1] (the “Case Management Procedures”), the Debtor hereby certifies that it has carefully examined the matter and concluded that there is a true need for an urgent motion; it has not created the urgency through any lack of due diligence; has made a bona fide effort to resolve the matter without a hearing; has made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court, and no party opposes the relief requested herein.

Notice

7. The Debtor has provided notice of this motion in accordance with the Case Management Procedures to the following parties: (a) the Office of the United States Trustee for the District of Puerto Rico; (b) the indenture trustees and/or agents, as applicable, for the Debtors’ bonds; (c) the entities on the list of creditors holding the 20 largest unsecured claims against COFINA; (d) counsel to the statutory committees appointed in these Title III cases; (e) the Office of the United States Attorney for the District of Puerto Rico; (f) counsel to the Oversight Board; (g) the Puerto Rico Department of Justice; (h) the Other Interested Parties;³ (i) all parties filing a notice of appearance in these Title III cases; and (j) Movant. A copy of the motion is also available on the Debtors’ case website at <https://cases.primeclerk.com/puertorico/>.

³ The “Other Interested Parties” include the following: (i) counsel to certain of the insurers and trustees of the bonds issued or guaranteed by the Debtors; and (ii) counsel to certain ad hoc groups of holders of bonds issued or guaranteed by the Debtors.

8. The Debtor submits that, in light of the nature of the relief requested, no other or further notice need be given.

WHEREFORE, the Debtor requests the Court enter the Proposed Order and grant such other relief as is just and proper.

Dated: January 15, 2020
San Juan, Puerto Rico

Respectfully submitted,

DENNISE N. LONGO-QUINONES
Secretary of Justice

WANDYMAR BURGOS-VARGAS
Deputy Secretary in Charge of Litigation

SUSANA PEÑAGARÍCANO-BROWN
Director of Legal Affairs
Federal Litigation and Bankruptcy Division

/s/ Juan C. Ramírez-Ortiz
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Exhibit A

Proposed Order